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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/831,196	05/07/2001	Jean-Francois Bodet	7343M	1416
27752	7590	11/17/2004		
THE PROCTER & GAMBLE COMPANY INTELLECTUAL PROPERTY DIVISION WINTON HILL TECHNICAL CENTER - BOX 161 6110 CENTER HILL AVENUE CINCINNATI, OH 45224			EXAMINER BOYER, CHARLES I	
			ART UNIT 1751	PAPER NUMBER

DATE MAILED: 11/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/831,196

Applicant(s)

BODET ET AL.

Examiner

Charles I. Boyer

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1751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 31 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 17-22 and 24-37 is/are pending in the application.
- 4a) Of the above claim(s) 35-37 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 17-22 and 24-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

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### **DETAILED ACTION**

This action is responsive to applicants' amendment and response received August 31, 2004. Claims 17-22 and 24-37 are currently pending, with claims 35-37 withdrawn.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 17-21 and 24-34 are rejected under 35 U.S.C. 102(b) as being anticipated by Hansmann, WO 97/16,263.

Hansmann teaches a process for cleaning workpiece surfaces by using ultrasound and a cleaning fluid (see abstract). An example of such a cleaning fluid comprises water, two nonionic surfactants, an ethoxylated alcohol and an ethoxylated amine, sodium carbonate, and sodium tripolyphosphate (page 9, lines 18-27). Another example comprises water, an ethoxylated alcohol and an alkyl sulfate (page 10, lines 3-8). As this reference meets all material limitations of the claims at hand, the reference

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is anticipatory. With respect to additional components claimed in claims 24-29, the examiner notes these are optional components only. With respect to the interfacial tension limitation of the claims, as the compositions of the reference contain the precise ingredients required by the claims, the examiner maintains the composition will inherently have an interfacial tension value within that presently claimed.

Applicants have traversed this rejection on the grounds that Hansmann does not teach a nonionic surfactant system wherein said nonionic surfactant system comprises at least one nonionic surfactant having a cloud point greater than 60°C and at least one nonionic surfactant having a cloud point less than 10°C. The examiner acknowledges that the cloud points of these surfactants are not disclosed, but maintains that they inherently satisfy this claim limitation. Moreover, as the nonionic surfactant system is merely one possible surfactant in a Markush group of surfactants that may be included in applicants' composition, even if the claim limitations are not met by the nonionic surfactants, the claim limitations are still met by the alkyl sulfate. With respect to the examiner's referral to claims 24-29 as optional components, again, these claims are dependent from claim 19 which is merely a Markush group of possible additives. If any one of those ingredients is contained in the reference, no other ingredient is required. This is why the examiner referred to them as optional. Accordingly, the rejection is maintained.

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3. Claims 17-21 and 24-34 are rejected under 35 U.S.C. 102(b) as being anticipated by Chavannes, GB 2,204,321.

Chavannes teaches biodegradable liquid detergent compositions (see abstract). The invention includes a process for the ultrasonic cleaning of articles by immersing the articles in a cleaning bath comprising water, surfactants, and builders (page 11, claims 1 and 14). An example of such a cleaning fluid comprises water, two nonionic surfactants, both ethoxylated alcohols, sodium nitrilotriacetate, and an alkyl benzene sulfonate (page 8, examples 4-6 and 8). As this reference meets all material limitations of the claims at hand, the reference is anticipatory. With respect to additional components claimed in claims 24-29, the examiner notes these are optional components only. With respect to the interfacial tension limitation of the claims, as the compositions of the reference contain the precise ingredients required by the claims, the examiner maintains the composition will inherently have an interfacial tension value within that presently claimed.

Applicants' traversal is the same as that set forth above and the examiner's response is the same.

4. Claims 17-21 and 24-34 are rejected under 35 U.S.C. 102(b) as being anticipated by DeSenna, US 5,529,788.

DeSenna teaches effervescent cleaning tablets for use in ultrasonic cleaning equipment (see abstract). An example of such a composition comprises citric acid,

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protease enzyme, sodium carbonate, and alkyl sulfate (col. 4, example). As this reference meets all material limitations of the claims at hand, the reference is anticipatory.

Applicants' traversal is the same as that set forth above and the examiner's response is the same.

5. Claims 17-21 and 24-34 are rejected under 35 U.S.C. 102(b) as being anticipated by Fuesting, US 4,448,750.

Fuesting teaches a process for sterilizing objects wherein an object is simultaneously subjected to a sterilizing liquid and ultrasonic radiation (see abstract). An example of such a sterilizing liquid comprises water, an alkyl sulfate, and carbamide (col. 10, claim 11). As this reference meets all material limitations of the claims at hand, the reference is anticipatory.

Applicants' traversal is the same as that set forth above and the examiner's response is the same.

6. Claims 17-21 and 24-34 are rejected under 35 U.S.C. 102(b) as being anticipated by Voit, US 4,308,229.

Voit teaches a process for sterilizing objects wherein an object is simultaneously subjected to a sterilizing liquid and ultrasonic radiation (see abstract). An example of

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such a sterilizing liquid comprises benzethonium chloride, ethoxylated alcohol, and isopropanol (col. 7, claim 1). As this reference meets all material limitations of the claims at hand, the reference is anticipatory.

Applicants' traversal is the same as that set forth above and the examiner's response is the same.

7. Claims 17-34 are rejected under 35 U.S.C. 102(b) as being anticipated by Awad, US 5,464,477.

Awad teaches a process for cleaning ferrous surfaces wherein an object is subjected to an ultrasonically agitated cleaning solution (see abstract). An example of such a cleaning solution comprises an anionic surfactant, citric acid, and ammonium citrate. Another example comprises two nonionic surfactants, an ethoxylated alcohol and an alkylpolyglycoside, and sodium carbonate (col. 6, table 1). As this reference meets all material limitations of the claims at hand, the reference is anticipatory.

Applicants' traversal is the same as that set forth above and the examiner's response is the same.

8. Claims 17-21 and 24-34 are rejected under 35 U.S.C. 102(b) as being anticipated by Motson, US 5,770,550.

Motson teaches a method for cleaning hard surfaces (see abstract). An example of such a method cleans a surface with a composition comprising an alkyl ether carboxylate, trisodium phosphate, EDTA, sodium metasilicate and water (col. 8, example) and ultrasonic energy (col. 12, claims 12, 14, and 15). As this reference meets all material limitations of the claims at hand, the reference is anticipatory.

Applicants' traversal is the same as that set forth above and the examiner's response is the same.

9. Claims 17-22 and 24-34 are rejected under 35 U.S.C. 102(b) as being anticipated by Tomaszewski, US 5,372,741.

Tomaszewski teaches a process for cleaning workpiece surfaces by using ultrasound and a cleaning fluid (see abstract). An example of such a cleaning fluid comprises water, ethoxylated alcohol nonionic surfactant, phosphate ester anionic surfactant, alkyl imidazolinium amphoteric surfactant, and potassium carbonate (col. 5, example 2). As this reference meets all material limitations of the claims at hand, the reference is anticipatory.

Applicants' traversal is the same as that set forth above and the examiner's response is the same.

10. Claims 17-21 and 24-34 are rejected under 35 U.S.C. 102(b) as being anticipated by Kitazawa et al, US 5,350,457.



Kitazawa et al, US 5,350,457 teaches a process for cleaning workpiece surfaces by using ultrasound and a cleaning fluid (see abstract). An example of such a cleaning fluid comprises water, two nonionic surfactants, an ethoxylated alcohol and ethylene oxide/propylene oxide copolymer, and an alkyl benzene sulfonate (col. 7, example 3). As this reference meets all material limitations of the claims at hand, the reference is anticipatory.

Applicants' traversal is the same as that set forth above and the examiner's response is the same.

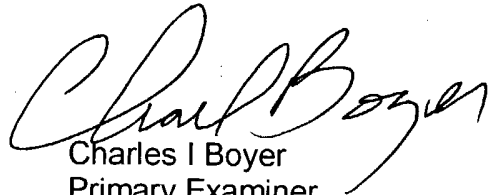
1. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles I. Boyer whose telephone number is 571 272 1311. The examiner can normally be reached on M-F 9:30 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta can be reached on 571 272 1316. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Charles I Boyer  
Primary Examiner  
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